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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,094	02/27/2002	Robert Cazier	10016229-1	1976

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EXAMINER	
LY, ANH	

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/087,094	CAZIER, ROBERT	
	Examiner	Art Unit	
	Anh Ly	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 February 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *02/28/2002*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is response to Applicant's communications filed on 02/27/2002.

2. Claims 1-16 are pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pub. No. 2002/0147717 A1 of Barros et al. (hereinafter Barros) in view of US Patent NO. 6,538,698 issued to Anderson.

With respect to claim 1, Barros teaches determining a sorting criteria and a sorting size (sorting data based on sorting index in order for determining a position and sorting indexes can including cost, time, duration, even: Page 1, sections 0012 and 0015); and

sorting a plurality of data, located by the input path, into sets of data, based on the sorting criteria and sorting size (a GPS device locating the position or location of user device: Page 4 and 5, section 0054 and section 0057).

Barros teaches a positioning device such as global positioning system (GPS) receiving position information for user device (Page 1, section 0008), sorting algorithms sort a list of items based upon relationships between data using external data to organize information (Page 1, section 0012 & 0015 and Page 2, section 0024) and the sorting criteria associating with sorting size are cost, time, time, duration, distance and any other relevant sort indexes (Page 4, section 47 and Page 5, sections 0057 and 0059). The list can include information about attractions to a suggested optimal path and can be automatically reorganization or transmission to other users (Page 3, section 0038 and Page 5, sections 0059 and 0062). Barros does not clearly indicate determining an input path, creating subdirectories for at least one set of data; and moving at least one set of data into the corresponding subdirectory.

However, Anderson teaches folders wherein the image files to be stored based on the image category (col. 7, lines 20-48 and col. 1, lines 51-63 and fig. 9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Barros with the teachings of Anderson so as to sorted images based on categories storing in the file folder. The motivation being to have file folder storing a sorted images based sorting criteria or categories and property of image metadata such as

distance duration, time and date in order for easing browsing access of the stored images on the file folder.

With respect to claims 2-3, Barros discloses a method of reorganization data as discussed in claim 1. Barros teaches sorting criteria and sorting indexes such as duration, event, time, cost attractions and distance or any other relevant sorting criteria and sorting size (Page 5, section 0057).

Barros teaches a positioning device such as global positioning system (GPS) receiving position information for user device (Page 1, section 0008), sorting algorithms sort a list of items based upon relationships between data using external data to organize information (Page 1, section 0012 & 0015 and Page 2, section 0024) and the sorting criteria associating with sorting size are cost, time, time, duration, distance and any other relevant sort indexes (Page 4, section 47 and Page 5, sections 0057 and 0059). The list can include information about attractions to a suggested optimal path and can be automatically reorganization or transmission to other users (Page 3, section 0038 and Page 5, sections 0059 and 0062). Barros does not clearly indicate where the sorting criteria are the date that the data was saved and where the sorting criteria are the location the data was created.

However, Anderson teaches folders wherein the image files to be stored based on the image category and the date of and time the image was captured (col. 7, lines 20-48 and col. 1, lines 51-63 and fig. 9; col. 5, lines 5-20 and col. 6, lines 17-26).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Barros with the teachings of Anderson so as to sorted images based on categories storing in the file folder and date of capturing of an image is also a sorting criteria. The motivation being to have file folder storing a sorted images based sorting criteria or categories and property of image metadata such as distance duration, time and date in order for easing browsing access of the stored images on the file folder.

With respect to claims 4-5, Barros teaches where the sorting size is a geographic area (geographic area such as region: Page 5, section 0054) and where the geographic area is at least one of the following: an address, a city, a state, a country, an island, a county, a region, a town (a global positioning system (GPS) including information of state, counties, towns, cities and villages (page 5 section 0054).

With respect to claims 6-7, Barros discloses a method of reorganization data as discussed in claim 1.

Barros teaches a positioning device such as global positioning system (GPS) receiving position information for user device (Page 1, section 0008), sorting algorithms sort a list of items based upon relationships between data using external data to organize information (Page 1, section 0012 & 0015 and Page 2, section 0024) and the sorting criteria associating with sorting size are cost, time, time, duration, distance and any other relevant sort indexes (Page 4, section 47 and Page 5, sections 0057 and 0059). The list can include information

about attractions to a suggested optimal path and can be automatically reorganization or transmission to other users (Page 3, section 0038 and Page 5, sections 0059 and 0062). Barros does not clearly indicate setting an output location and creating the subdirectories at the output location and where the data is electronic images.

However, Anderson teaches folders wherein the image files to be stored based on the image category and the image is a digital image (col. 7, lines 20-48 and col. 1, lines 51-63 and fig. 9; col. 2, lines 58-67 and col. 3, lines 1-8).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Barros with the teachings of Anderson so as to sorted images based on categories storing in the file folder and the images are all digital images stored in an image capture unit for easing browsing access of the stored images. The motivation being to have file folder storing a sorted images based sorting criteria or categories and property of image metadata such as distance duration, time and date in order for easing browsing access of the stored images on the file folder.

With respect to claims 8-10, Barros discloses a method of reorganization data as discussed in claim 1.

Barros teaches a positioning device such as global positioning system (GPS) receiving position information for user device (Page 1, section 0008), sorting algorithms sort a list of items based upon relationships between data using external data to organize information (Page 1, section 0012 & 0015 and Page 2, section 0024) and the sorting criteria associating with sorting size are

cost, time, time, duration, distance and any other relevant sort indexes (Page 4, section 47 and Page 5, sections 0057 and 0059). The list can include information about attractions to a suggested optimal path and can be automatically reorganization or transmission to other users (Page 3, section 0038 and Page 5, sections 0059 and 0062). Barros does not clearly indicate where the sorting criteria is the resolution of the image, setting a file type, where the sorting of data at the input location is limited to only the file type selected and where the input path is a default location.

However, Anderson teaches resolution of image (col. 5, lines 40-52); various of type or format of images (col. 5, lines 40-52 and col. 1, lines 20-25 and lines 42-50) and location of images to be stored (col. 5, lines 40-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Barros with the teachings of Anderson so as to resolution of the image, format of images and location of image to be stored and sorted images based on categories storing in the file folder and the images are all digital images stored in an image capture unit for easing browsing access of the stored images. The motivation being to have file folder storing a sorted images based sorting criteria or categories and property of image metadata such as distance duration, time and date in order for easing browsing access of the stored images on the file folder.

With respect to claim 11, Barros teaches a sorting criteria and a sorting size, a file structure; a processor configured to sort a plurality of images, located at the input location, into sets of images, based on the sorting criteria and sorting

size (sorting data based on sorting index in order for determining a position and sorting indexes can including cost, time, duration, even: Page 1, sections 0012 and 0015; sorting a plurality of data records or images via a processor operative to access of image and position information: abstract, and a GPS device locating the position or location of user device: Page 4 and 5, section 0054 and section 0057).

Barros teaches a positioning device such as global positioning system (GPS) receiving position information for user device (Page 1, section 0008), sorting algorithms sort a list of items based upon relationships between data using external data to organize information (Page 1, section 0012 & 0015 and Page 2, section 0024) and the sorting criteria associating with sorting size are cost, time, time, duration, distance and any other relevant sort indexes (Page 4, section 47 and Page 5, sections 0057 and 0059). The list can include information about attractions to a suggested optimal path and can be automatically reorganization or transmission to other users (Page 3, section 0038 and Page 5, sections 0059 and 0062). Barros does not clearly indicate an input location and the processor configured to create a folder for each set of images and move each set of images into the corresponding folder

However, Anderson teaches folders wherein the image files to be stored based on the image category (col. 7, lines 20-48 and col. 1, lines 51-63 and fig. 9), user interface of camera, a LCD screen to let user input the information or retrieve image to display the sorted image: see figs, 6, 7 and fig. 9).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Barros with the teachings of Anderson so as to get the sorted images based on categories storing in the file folder via camera's user interface on LCD screen. The motivation being to have file folder storing a sorted images based sorting criteria or categories and property of image metadata such as distance duration, time and date in order for easing browsing access of the stored images on the file folder.

Claim 12 is essentially the same as claim 2 except that it is directed to a computer programmed rather than a method, and is rejected for the same reason as applied to the claim 2 hereinabove.

Claim 13 is essentially the same as claim 3 except that it is directed to a computer programmed rather than a method, and is rejected for the same reason as applied to the claim 3 hereinabove.

Claim 14 is essentially the same as claim 4 except that it is directed to a computer programmed rather than a method, and is rejected for the same reason as applied to the claim 4 hereinabove.

Claim 15 is essentially the same as claim 5 except that it is directed to a computer programmed rather than a method, and is rejected for the same reason as applied to the claim 5 hereinabove.

Claim 16 is essentially the same as claim 8 except that it is directed to a computer programmed rather than a method, and is rejected for the same reason as applied to the claim 8 hereinabove.

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is 703 306-4527 or via E-Mail: ANH.LY@USPTO.GOV. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on 703 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703 746-7239.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Office (703) 872-9306 (Central Official Fax Number)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-6606 or 703 305-3900.

ANH LY
JUN 21st, 2004

JEAN M. CORRIELUS
PRIMARY EXAMINER